



SATURDAY EVENING NOV. 20, 1909.

EVERY added hour of uncertainty deepens the anxiety felt for Col. John Jacob Astor, his son Vincent and Richard Peters, a cousin of Mrs. Astor, all of whom have now been out of touch with the world for fifteen days, when the missing yacht Nonsmahl was last spoken. Shipping masters point out that if the Nonsmahl was blown out of her course by the late West Indian hurricane she might have great difficulty in making port again, as her cruising and on, like that of all yachts, is comparatively small and would soon be exhausted in fighting head winds. Hope for her safety rests in the assumption that, owing to the interruption of the cable service, it is impossible to get word of her arrival to America. The Nonsmahl has no wireless, and falling advice from West Indian ports, news of her must come from some ship that has spoken or sighted her. It is hoped that the Nonsmahl will not be added to the list of ships which have never returned. The number is already large, although since the introduction of wireless telegraphy marine disasters have been lessened somewhat. The absence of advice from the Astor yacht brings to mind the disappearance of other vessels. The British training ship *Albatross* sailed from Bermuda in 1879 with five hundred naval cadets aboard. Thirty years have elapsed and no tidings from her have been received.

THE Supreme Court of North Carolina recently held in the case of the *Stacy Lumber Company vs. Southern Railway Company*, that more than nominal damages can be recovered for breach of a contract of shipment by unreasonable delay when the special purpose or use of the article shipped is expressly made a part of the contract or the negotiations or where it is of such a character that the parties may fairly be supposed to have contemplated such special purpose or present use when making the contract. In this case suit was brought for damages for unreasonable delay in delivering a sawmill edge weighing about 1,000 pounds, which was delivered to and carried open by the defendant company. The trial court charged the jury that it was for them to determine whether the fact that the machinery was shipped open by the plaintiff over the defendant's line that the defendant could inspect the same and know for what it was intended was sufficient to put the defendant on notice that the damage to the plaintiff's business alleged would occur, or to make it reasonably presume that it would. A judgment upon a verdict for damages was affirmed by the Supreme Court.

THE United States, it seems, is not the only country in which the cost of living has materially advanced in recent years. The cost of living recently has grown so great in Austria, according to a report made by Consul Bittale, of Prague, that the government of that country has taken the matter in hand and will, if possible, check the further advance of prices. Among other concessions the people of Austria desire that the cattle and meat business of Vienna be taken over by a newly proposed agrarian bank. Another demand is the establishment of a central office for the utilization of cattle products, with branches in Austria and foreign countries to be supported by the proposed bank. To carry on this project will require about \$4,000,000. Since 1907 food has advanced 17 per cent, butter 20, flour 50, potatoes 25, buttermilk 10, bread 40, meat 60, sugar 20, real 20, pork 10 and coffee 10.

THE prediction that orthodox Judaism was doomed was made last night by the Rev. Alexander Lyons, rabbi of the Temple Beth Elohim, Brooklyn, in an address which included a prophecy that reform Judaism would be the religion of the world. He said that the Jews ceased to be a nation at the fall of Jerusalem, and were now merely a religious brotherhood. The followers of reform Judaism did not expect the coming of a Messiah or the re-establishment of the nation in Palestine with Jerusalem as the capital, he said. They expected the growing tolerance of man to man and the realization of ideals.

THE German naval budget estimates of 443,000,000 marks for 1910, the largest in the history of the country, have been received in silence by the newspapers of Berlin, a discussion of them at present being regarded as inappropriate. There will be no modifications in the large shipbuilding programme. The total budget proposals of the government for the army and navy amount to 1,250,000,000 marks (about \$312,500,000), as against 1,077,803,000 marks (about \$269,450,000) in the 1909 budget. People who continue to dream of the world having arrived on the confines of the millennium should ponder over these figures.

From Washington.

(Correspondence of the Alexandria Gazette.)

Washington, Nov. 19. Franklin K. Lane, of California, a member of the Interstate Commerce Commission, whose term expires on the first of the year, will be re-appointed by President Taft, according to information to the United Press today from the best of authority. Mr. Taft is well pleased with Lane's record and regards him as one of the most vigorous members of the commission. Lane is a democrat. He was appointed to the commission by Roosevelt shortly after he was defeated for governor of California by George G. Pardee (republican).

Elementary ideas on the part of the West Point cadets concerning their responsibility to the government are not only reason for hazing but for the most serious breaches of discipline according to the report of Superintendent Col. H. L. Scott to the War Department, which was made public today. The discipline of the academy is high but the usual cases of hazing appeared resulting in the dismissal of one first and six third classmen. "This evil," Colonel Scott said this morning, "has broken out almost yearly since the early days of the institution; it is at the bottom of most of the serious breaches of discipline and must be held down with a strong hand. Every possible step has been taken at the academy to eradicate it but it appears that there are a few in the academy who deliberately violate the set of Congress forbidding it and whose ideas of their responsibility to the government continue to be elementary notwithstanding all the teaching and warning that can be brought to bear upon them." Col. Scott also proposes the appointment of cadets every three years instead of every four to fill vacancies on the list. This would increase the ratio of one cadet per million of population to 14 per million. The corps of cadets is now 123 below its authorized strength.

Confirmation of the reported execution of the two Americans, Canosa and Gooch, by President Zelaya, of Nicaragua, was received at the State Department in a dispatch today from the American consul at Managua. The Nicaraguan government admits the execution and gives as a reason for it the confession of the Americans to the effect that they had been laying mines in the San Juan river. Nicaraguan lawyers themselves described the execution as "unwarrantable savagery," and it appears that Zelaya took the action despite the protest of the commander-in-chief of his army and his minister general. The receipt of these messages makes it practically certain that the State Department will recognize the belligerency of the Estrada revolution. This action will probably be taken within the next two or three days. It will be a signal to Guatemala and Salvador to extend legitimate aid, the probable result of which will be the downfall of Zelaya within the next ten days. It is even possible that more energetic measures may be taken by the United States. Secretary Knox and his assistants have under consideration the two messages and a decision as to the course to be adopted will probably be forthcoming late today.

At the coming session Congress will have an opportunity to consider a bill designed to include telephone and telegraph lines within the scope of the Hepburn act to regulate commerce. Senator Elkins of West Virginia has signified his intention of introducing an amendment to the act to this end, his decision having been reached since the recently reported merger of the Bell telephone lines with the Western Union telegraph company. At the time of passage of the Hepburn act three years ago, the West Virginia senator contemplated a similar amendment, but withdrew it, in the face of opposition of a majority of the members of the Senate committee on interstate commerce. At the Department of Justice today it was stated by some of the government's best legal advisers that such an amendment would undoubtedly be constitutional. It was also hinted that the president himself might recommend in his message, and as a part of the railroad rate legislation planned, the inclusion of telephone and telegraph companies within the jurisdiction of the interstate commerce commission. In case such a measure should pass, the federal government, through the interstate commerce commission, would have power to fix the rates for interstate communication by telegraph or telephonically. The interstate commerce act specifically provides for regulation of the express companies and the Pullman Palace Car Company.

COMING PROHIBITION FIGHT.

An interesting feature of the coming prohibition fight in Virginia, which will be launched before the next general assembly by the Anti-Saloon League, is asking for the passage of a prohibition submission bill was the prediction of Field Secretary McAllister, of the Anti-Saloon League, that Virginia will vote "dry" by 40,000 majority if the people are given an opportunity to pass upon the temperance question. Mr. McAllister says that a careful investigation has been made into the prohibition strength in the state, and it is found that the sentiment against the saloon is overwhelming.

The Anti-Saloon League executive committee inaugurated a movement last summer to ascertain the prohibition strength in Virginia.

Virginia News.

A marriage license was granted in Washington yesterday to Harvey J. Peabody and Annie Morrison, both of Fairfax county.

At a great age 107, Adam Mathews, colored, died at his home on the headquarters of Blacks Creek, under the shadow of North Mountain, west of Lexington. He was three times married and raised several large families of children.

JUST AS GOOD PIANO.

The "just as good" in pianos like in any other article of well known merit, is always inferior to the original. The Weaver Piano has distinctive character of tone and construction that places it in a sphere of its own. Insist on the genuine Weaver Piano. Write direct to us about it. We will either direct you to our nearest agent or take the matter up with you from our own office.

WEAVER ORGAN & PIANO CO., Manufacturers, York, Pa.

W. L. Whitton, Sole Agent, 611-613 King Street, Alexandria.

News of the Day.

Faiber Tabb, noted as a blind poet and a famous blockade runner during the civil war, died in Baltimore last night.

Unknown murderers last night hacked to death with an axe eight persons in a farmhouse in the village of Bagulawitz, Germany. The victims were a former named Wasielewski, his wife and five children and his father-in-law.

Joseph Bidwell and his wife, against whom he had filed suit for divorce, met at the home of a relative at Wabash, Ind. She begged him to withdraw the suit, and on his refusal she swallowed carbolic acid and threw herself into his arms and died in a few moments.

Mrs. Sidie Brown, aged fifty years, was burned to death at her home in Salisbury, N. C., last night. She was seated by an open fire and her dress ignited. The only member of the family present was her father, aged eighty years, blind and helpless.

Snapping a vertebra much the same way as Odette Byrne, of West Point, in the game with Herrard, Albert P. W. Wibriski, the 17-year-old son of Mr. and Mrs. Theodore Wibriski, of 97 Ridge park, West Orange, died in the Orange, N. Y., Memorial Hospital, last night, three and one-quarter hours after he had been admitted to the institution.

Secretary of the Interior Ballinger yesterday issued a statement containing a denial of all the charges and implications that have been made against him in recent published reports. He set forth his side of the story of the Olanogham claim cases, and denied that his law firm in St. Louis is known as an adviser for the Standard Oil Company, and that he is interested in the Alaska Petroleum and Coal Company.

Neighbors who broke into a burning house at Indian Harbor, Ind., yesterday, found a baby girl in her crib dead of suffocation by smoke, and her 3 1/2-year-old brother unconscious from a door knob with a rope. The children's mother, Mrs. John L. Koran, had gone shopping. To prevent the boy playing with matches, she tied him to the door. Fire broke out from a stove.

Miss Viola Teter was ruthlessly deprived of her hair by two negroes in the southern section of Elkins, W. Va., Thursday night, and it is believed, escaped a worse fate when her cries attracted Upton Webley. While one of the negroes held her arms and gagged her the other cut off her hair. She managed to loosen the gag and scream. The negroes, one of whom was afflicted in female garb, escaped through a nearby swamp.

The application of Edward E. Britton and Frederick A. Schroeder, former president and vice president, respectively, of the Eagle Loan and Savings Company, of Brooklyn, for a new trial, was denied yesterday by Justice Stoughton, and the two bankers will have to go to Sing Sing on Monday. The two men were convicted of misappropriating \$43,000 of the funds of the association of which they were officers. Britton's sentence is not less than 14 months nor more than three years, and Schroeder's not less than one year nor more than three years.

By a ruling vote the American Federation of Labor in Toronto yesterday approved the report on the president's address. Thus is the federation pledged to support to the last President Gompers and his fellow-officers now under sentence of court, for the report of the committee so advised. It suggested that the executives of the federation be instructed to take whatever steps they might deem necessary to have the case taken to the Supreme Court, and also to raise funds for the possible legal proceedings. Following the adoption of this report came the decision to pay Gompers, Morrison and Mitchell while in jail, if they go there.

Fire early yesterday destroyed the Lincoln club, W. Va., courthouse at Hamlin, with practically all of the records. The fire started in the cupola of the building, which was two stories high and valued at \$20,000. The burning of the courthouse and destruction of records is believed to be the outcome of a fight which has been waged among former land owners and oil and gas companies operating in the Lincoln field. More than a score of years ago some land companies set up a claim to the land, but compromised by taking the mineral rights and giving the settlers the land. When oil and gas was struck the settlers became aroused, and alleging that they had been swindled, attempted to regain what they had lost.

Consuelo, Duchess of Manchester, died in London early this morning of heart disease, following an attack of neuritis. The deceased was the daughter of Antonio Yaguel del Valle, of Rivaswood, La., and Cuba. After the civil war Mr. Yaguel, having lost most of his fortune, moved north and Consuelo became a prominent figure in New York city's social life. Her wedding in Grace Church in May, 1876, to the Viscount Mandevill was a brilliant affair and one of the first of the alliances of American girls with foreigners. A son and two daughters were the result of the union. Consuelo's son became duke. He married Miss Helena Zimmerman, of Cincinnati, in 1900. Consuelo's two daughters died in young womanhood.

A serious riot occurred shortly after 5 p. m., yesterday in Wilmington, Del., between 200 strikers and as many strike-breakers in front of the morocco factory of F. Bumenthal & Co. The outbreak was the culmination of several disturbances earlier in the day between the same elements. Shots were fired, bricks, stone and other missiles flew thick and more than 1,000 persons became wildly excited. A dozen strike-breakers mostly Italians, who took the places of Poles, were injured, some severely. The riot occurred when the work shut down for the day. More trouble is expected. Two hundred hooligans at the Bumenthal works and 50 employees of the New Castle Leather Company struck for an advance of \$1 a week. The strikers are nearly all Poles. When the strike-breakers left the Bumenthal plant for their noonday meal they were attacked. Several were stabbed, but none was seriously hurt.

DIED.

At the residence of his parents, 418 south Fairfax street, PHILIP PARK TENNESON, son of James M. and Virginia Tennessee, in the 77th year of his age. Funeral from the residence tomorrow (Sunday) afternoon at 2:30 o'clock. Interment private.

Today's Telegraphic News

Government Wins Suit.

St. Louis, Nov. 20.—The government is winner in the suit to dissolve the Standard Oil Company of New Jersey. In a decision handed down from the bench of the United States Circuit Court here today by Judge Elmer B. Adams, the big oil trust received a body blow. The decision is sweeping, the government being sustained on nearly every point.

The only exceptions are made in favor of some of the minor subsidiary companies named as defendants. These it held are not clearly shown to be dominated by the trust.

The orders of the court in regard to the Standard do not take effect for thirty days.

The opinion was unanimous and the decrees were signed by all the judges.

Washington, Nov. 20.—Officials of the Department of Justice expressed great pleasure over the decision rendered by Judge Adams at St. Louis today sustaining the government's contention that the Standard Oil Company was a monopoly in restraint of trade.

There remain several other important prosecutions under the Sherman antitrust law upon final adjudication of which the Standard Oil decision today may have great effect. These are against the sugar trust, now pending in the Circuit Court for the Southern District of New York; against the powder trust, in the Circuit Court in Delaware; against the Union Pacific and Southern Pacific in Utah; against Naval Stores Company, now pending in the Court of Appeals in Georgia, and which the government won in the lower court; the tobacco trust and the St. Louis Terminal case both now pending for the Supreme Court of the United States; and a number of prosecutions against coal companies.

American Federation of Labor.

Toronto, Ont., Nov. 20.—When Andrew Foran and John Frey, chairmen respectively of the president's report and a resolutions committee, were asked today whether the fact that the American Federation of Labor convention now meeting on Canadian soil had anything to do with the strike difference in their report yesterday, each replied that the language used would have been just as strong had the meeting been held in the United States.

The general opinion of the delegates is that the entire convention would have been declared in contempt of court had the proceedings taken place in the states.

Furthest, one of the main props of the convention, declared to the United Press that his committee which recommended disobedience of injunctions when they seek to deprive people of what are deemed constitutional rights, meant the recommendation as an affront to the courts. "Before this fight is over," he said, "we will give the court the opportunity of imprisoning hundreds of our leaders, for we are going to fight for freedom of speech and press. They had better begin now to build more jails."

Only one session of the convention was called for today, as there was but little business remaining undone.

Toronto, Ont., Nov. 20.—The American Federation of Labor convention by unanimous vote today amid vociferous cheering re-elected Samuel Gompers president of the American Federation of Labor. The applause lasted for several minutes, the delegates standing and waving their arms wildly.

"Who is all right?" yelled the delegates.

"Gompers," came a roar of response.

"Who is all wrong?" was then demanded.

"Wright," shouted the delegates.

Wright is the judge of the Supreme Court of the District of Columbia.

At the conclusion of Gompers' speech, a brass band was brought into play and the demonstration was renewed. A similar outbreak greeted the election of John Mitchell as second-vice president.

Secretary Morrison was re-elected by acclamation.

St. Louis was chosen for the 1910 convention.

The convention adjourned at 1:45.

Ispased to His Death.

Philadelphia, Nov. 20.—Unbalanced mentally from long-continued illness, it is believed, Maurice Landauer, a former newspaperman, who had of recent years been connected with various financial houses, put a terrible end to his life, yesterday afternoon, by plunging from a window on the sixteenth floor of the Real Estate Trust Building, at Board and Chestnut streets. His desperate death leap down the light well in the center building was unbroken to the second floor, where he crashed partly through the guard of the skylight. Following a shower of broken glass, the lower portion of his body, with every bone broken, could be seen dangling overboard by the horror-stricken persons in the main corridor at the time. The crash of the breaking glass brought all the occupants of offices fronting on the skylight to the windows, and the appalling sight caused several young women stenographers and clerks to faint.

The Subjugation of Finland.

Helsinki, Finland, Nov. 20.—Orders were received today from St. Petersburg for the immediate retraction through-out Finland of Russian barracks to accommodate the hordes of Cossacks who have been poured over the border to insure the subjugation of Finland. The Finns have resigned themselves to a period of heavy oppression, but throughout the country there is apparently a determination to make a fight against the Cossacks, thousands of whom are still being sent from various garrison towns in Russia.

The dismissal of Governor-General von Bismarck, whose resignation was sent to the Czar some time ago, is daily expected and it is practically certain that he will be succeeded by General Seyd.

Stole Bridgroom's Trousers.

Marysville, Pa., Nov. 20.—Returning from New York in a sleeping car, Ross Albright, of this place, awakened at Harrisburg and found his trousers had been stolen. He was relieved from his embarrassing plight by the porter, who found the trousers concealed in the car a short distance from Albright's section. Albright, who was married not long ago, was returning from New York with his bride. His wallet was missing from his trousers, and with the wallet had gone \$30 and the marriage certificate. A watch in one pocket of the trousers had not been taken.

Death of Judge Kinsley.

(Special Dispatch to the Alexandria Gazette.)

Richmond, Va., Nov. 20.—Judge John D. Kinsley, of Lynchburg, one of the best known lawyers of that section of Virginia died today. He was sixty-five years old and leaves a wife and four children.

Onas. H. Greenwood, of Manchester, who has been in ill health for some time died today from carbolic acid poisoning.

The Approaching Crisis in England.

London, Nov. 20.—When the Lloyd George budget is moved for passage before the House of Lords on Monday, the constitution of the United Kingdom will tremble in the balance for a moment and then fall with a crash into the melting pot. For the rejection of the budget, which is certain, will place before the voters of England two alternatives; first, the upholding of the liberal party and the Lloyd George budget, which will give an added impetus to the marked socialistic tendencies of recent English politics; and second, the upholding of the House of Lords in its rejection of the budget, and the consequent repudiation of the iron bound constitutional provision that the House of Commons shall control the financial end of the government, and the damping of the present socialistic tide. In either case the result will be a revolution in British government and politics.

The President at Hampton.

Hampton, Va., Nov. 20.—President Taft, accompanied by Mrs. Taft, Andrew Carnegie, and Dr. O. W. Eliot, spent most of today at Hampton Institute. The students at the institution went through an elaborately prepared programme for the benefit of the distinguished guests. The president reviewed the school battalion, visited the gymnasium and saw the pupils go through their drills, participated in a meeting of the trustees and then had luncheon with Dr. Fritz J. the principal. In the afternoon the president addressed the pupils. Mr. Taft, on board the Mayflower, leaves for Washington at 4 o'clock.

The Volcanic Disturbance in the Canaries.

Madrid, Nov. 20.—Advises from Tenerife today say that the volcanic eruption which caused a panic throughout the island yesterday broke out with increased violence again today. The disturbance subsided after the violent outbreak yesterday morning, and it was thought the worst was over. A stream of lava 12 yards wide, and five yards deep, started down the side of the mountain during the morning's disturbance. The stream is headed directly for the town of Santiago, and the inhabitants are again hurrying to the sea coast.

Football Voted Off.

Chicago, Nov. 20.—Dangerous football has been voted off the western gridiron map by the faculty representatives of the "Big Eight" colleges. At the annual meeting of the conference institutions yesterday the conferees unanimously disowned the present style of play and took steps toward immediate modification. The representatives recommended an immediate change in the rules, that question being left with Director Sagg, of Chicago. Many believed that eastern colleges will follow the lead of the conference in the modification of the present rules.

Death from Hydrophobia.

New York, Nov. 20.—In a straight jacket in an isolated ward of Bellevue Hospital, Mrs. Goldie Friedlander, wife of a farmer of Carmel, N. J., died in terrible agony today from hydrophobia. She was bitten by a pet mastiff on October 10, and the wound soon healed. She had forgotten the bite when hydrophobia developed several days ago and physicians could do nothing for her although every remedy was tried.

The Fighting in Nicaragua.

Bluefields, Nicaragua, Nov. 20.—It was reported here today from the interior that the revolutionaries have entered the province of Segovia, and Matagalpa, in the northern part of Nicaragua, and are now practically in control of both. The residents of the provinces in many cases joined the revolutionaries, deposing the Zelayan officials, who heretofore considered their position safe.

Found Remains in Dissecting Room.

New Orleans, Nov. 20.—The remains of William Blestler were found today in the dissecting room of Tulane University dated a putrified by the dead man's son, J. H. Blestler. They had been missing for over a year. Blestler is a student at the university and the finding of his father's remains was accidental. The son stated when his father's head met his gaze.

List of Unclaimed Letters.

The following is a list of the letters remaining in the Alexandria, Va., postoffice up to November 10, 1909.

Amoroso, Giuseppe
Arto, in, Salvatore
Arnold, W. H.
Baldwin, R. A. & Sons
Barnett, S. G.
Brint, Mr.
Buckley, Thomas
Clark, Arthur
Cleming, J. R. M.
Cole, Mrs. Anna
Connor, Basie
Davis, F.
Dwyer, H. and Mrs. R. Quinn
E (2)
Dorsey, May
Douglas, Mrs. James
Evans, Mrs. Charles
Farrar, Mrs. Anna
Farinhold, Meredith Van Ness, Mrs. Wm P. Lun C.
Garry, Lewis John
Graham, Alfred
Hall, Marie
Hill, Frank
Johnson, Mrs. Tom
Kearney, a sister
Luns, J. A.
Maria
McCallough, Robert
McRobert, H.
Merrell, Dasey
Payton, Willie
Phoenix Fire and Marine Ins. Co.
Richards, Willis
Scott, Paul
Stancovitz, Charlie
Stout, J. Mrs. Corling
Turner, Mrs. Kate O.
Wilton, Dr. J. L.
P. O. Box 93

Wholesale Prices of Produce.

Flour Extra.....	575	600
Family.....	625	675
Pancake.....	650	700
Wheat, longberry.....	115	116
Pat.....	110	115
Mixed.....	110	114
Damp and tough.....	900	100
Corn, white.....	060	065
Mixed.....	059	065
Yellow.....	055	060
Corn Meal.....	075	080
Bye.....	075	080
Oats, mixed, new.....	045	055
White, new.....	050	057
Flour, Print Butter.....	032	034
Butter, Virginia, packed.....	018	020
Choice Virginia.....	020	022
Common to middling.....	014	016
Eggs.....	032	033
Live Chickens (heavy).....	011	012
Spring Chickens.....	020	022
Potatoes, per bu.....	72	80
Sweet Potatoes bbl.....	175	185
Onions, per bushel.....	75	80
Apples, per bbl.....	000	050
Dried Peaches, peeled.....	065	019
Pork, per 100 lbs.....	750	858
No. 2.....	1500	1600
Plaster, ground, per ton.....	450	500
Ground in bags.....	550	600

Fire in San Francisco.

San Francisco, Nov. 20.—Twelve buildings including the colossal roller skating rink were destroyed by fire early today. The blaze was started it is believed by a lighted cigarette thrown on the floor.

Explosion on Submarine.

Portsmouth, Nov. 20.—Another serious naval accident occurred here today, when a mysterious explosion wrecked a submarine torpedo boat at anchor here. Two sailors on board were seriously and probably fatally hurt. The submarine is a total wreck and cannot be repaired.

The Condition of Former Secretary of the Treasury.

John G. Carlisle, was reported unimpaired at St. Vincent's Hospital, in New York, this morning.

INDIGESTION?



VERDICT SET ASIDE.

Judge Walter H. Sanborn, in the United States circuit court of appeals, in St. Paul, Minn., yesterday landed down an opinion setting aside the verdict and ordering a new trial in the case of the United States against the Union Pacific Coal Company, the Oregon Short Line, James M. Moore, and Everett Buckingham, charging them with violation of the Sherman antitrust law, by forming an unlawful combination.

While the suit was brought in the name of the United States, proceedings were started by Mr. Sharp, a Salt Lake City coal dealer, who charged the coal company and the railways with refusing to sell and haul coal for him because he sold coal lower than his competitors.

Judge Sanborn holds there was no substantial evidence of any combination between any two of the defendants, either to refuse to sell coal to Sharp or to refuse to transport coal for him.

The lower court found the defendants guilty and imposed a fine of \$1,000 and costs on Moore, and \$3,000 and costs on the other defendants.

Judge Sanborn says that under the Sherman law a "combination, the necessary effect of which is to stifle or directly and substantially to restrict," competition in interstate commerce is unlawful; but "if the necessary effect of a combination is but incidentally and indirectly to restrict competition, while its chief result is to foster the trade and increase the business of those who make and operate it, it does not fall under the ban of this law."

"A coal company engaged in mining and selling its coal is not prohibited by the antitrust act or by the law from refusing to sell its coal, from selecting its customers, from fixing the price and terms on which it will sell its product, or from selling to different persons on different terms."

"A violation of a law by a corporation does not render it nonparticipating stockholders criminally liable therefor."

"The union of two or more persons, the conscious participation of two or more minds, is indispensable to an unlawful combination."

DRY GOODS.

IMPORTANT SALE OF DRESS GOODS

15 pieces all-wool 38 inch hard twisted FANCY SERGES in all new fall shades. Former price 50c. On sale at 39c yard.

10 pieces 38 inch FANCY MOHAIRS, 75c value at 50c yard.

5 pieces 19 inch BLACK MOIRE SILK, 75c value at 59c yard.

D. Bendheim and Sons

316 King Street.

BELL PHONE, HOME PHONE

FOR EXCHANGE—Three slightly worn foot horses for large sound ones.

CHARLES KING & CO.

2018 17

LADIES FREE

Basketball

TONIGHT

A. L. I. vs. ASTORIA

(F. BALTIMORE, MD.)